

REMARKS

Claims 1, 3-12, and 14-34 are pending in the application. By this Amendment, claim 12 is amended and claim 34 is added.

No new matter has been added by this Amendment, support being found on pages 18 and 28 of the originally filed application, for example.

Reconsideration of the outstanding rejections in the present application are requested based on the following remarks.¹

A. The 35 U.S.C. 112, First Paragraph, Rejection

In the Office Action, claims 12, 14-26, and 32-33 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The Office Action asserts:

The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed I had possession of the claimed invention. The applicant recites the limitation “sending, by the universal session manager, a communication to the at least one remote server upon either customer logout or timeout, the redirect constituted by a message call from the universal session manager to the at least one remote server without directing the customer to the at least one remote server,” in claim 12 of the present application. However, the examiner searched the length and width of the applicant's application but failed to find a single paragraph where support for this limitation is provided. Clarification is required!

Applicant respectfully traverses such rejection. In Applicant's prior October 13, 2009

¹ As Applicant's remarks with respect to the Examiner's rejections are sufficient to overcome these rejections, Applicant's silence as to assertions by the Examiner in the Office Action or certain requirements that may be applicable to such rejections (e.g., assertions regarding dependent claims, whether a reference constitutes prior art, whether references are legally combinable for obviousness purposes) is not a concession by Applicant that such assertions are accurate or such requirements have been met, and Applicant reserves the right to analyze and dispute such in the future.

Amendment, on page 9, Applicant set forth that support for the claim amendments may be found on pages 18 and 28 of the originally filed application, for example.

In particular, Applicant submits that support for the referenced claim amendment may be found on page 28 of the originally filed patent application in the “Example 9 - Logout Servlet” example. Applicant submits that the referenced claim amendments are clearly supported by such disclosure. However, Applicant has further amended claim 12 for further clarity of the claimed invention.

Withdrawal of the 35 U.S.C. 112, first paragraph is requested.

B. The Rejection of Claims 1, 3-12, 14-20, and 24-33 under 35 U.S.C. §103(a)

Claims 1, 3-12, 14-20, and 24-33 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 7,137,006 to Grandcolas *et al.* (“Grandcolas”) in view of U.S. Patent 5,987,454 to Hobbs.² This rejection is respectfully traversed.

As recited in Section 2142 of the MPEP, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant’s disclosure. *In re Vaeck*, 947 F.2d 488, 2 USPQ2d 1438 (Fed. Cir. 1991).

² On pages 11-12, the Office Action also relies on the alleged teachings of Teper in the rejection of claim 24 - under further grounds of rejection under 35 U.S.C. 103. Accordingly, the basis of rejection of claim 24 is unclear. Clarification is requested.

On various grounds, as set forth below, Applicant maintains that the Office Action fails to establish the requisite prima facie case.

Applicant has carefully considered the comments set forth in the Office Action, including the comments in the “Response to Arguments” on pages 12-13 of the Action.

Applicant maintains traversal of the art rejections for the reasons as set forth in Applicant’s prior response and those further reasons set forth below. As set forth in Applicant’s prior Response, Applicant asserted specific arguments as to why it would not have been obvious to combine the teachings of Grandcolas and Hobbs. In particular, Applicant asserted the proposed modification of Grandcolas with the teachings of Hobbs, so as to provide multiple frames, would so fundamentally change the teachings of Grandcolas, such that it would not have been obvious to do such modification. Applicant set forth reasons to support such position. Various other grounds of traversal were set forth. However, Applicant respectfully submits that such grounds of traversal are not fairly addressed in the present Action.

In further explanation, Applicant notes that M.P.E.P. 707.07(f) “Answer All Material Traversed” instructs the Examiner to clearly explain the Examiner’s reasoning when responding to a traversal: “In order to provide a complete application file history and to enhance the clarity of the prosecution history record, an examiner must provide clear explanations of all actions taken by the examiner during prosecution of an application.” The same section of the M.P.E.P. specifies the form of such an explanation: “The examiner must address all arguments which have not already been responded to in the statement of the rejection[2]...In bracket [2], provide explanation as to non-persuasiveness.” Therefore, entirely ignoring the arguments presented in traversal, or merely stating that the arguments are not persuasive, is not an adequate response to Applicant’s traversal. These guidelines for responses to Applicant’s arguments should be taken

into consideration in many of the following discussions.

Applicant respectfully submits that such guidelines have not been satisfied by the present Office Action. Applicant's arguments, as set forth above and in the prior response, go to the incompatibility of the applied art, and more particularly, to the incompatibility of the authentication tokens used by Grandcolas and the multiple frames, as taught by Hobbs. In general, Applicant sets forth specific reasons why the 35 U.S.C. 103 rejection is deficient.

However, in response, the Office Action merely sets forth rather general assertions on page 12, line 11 - page 13, line 11, which fail to address the particular asserted deficiencies discussed by Applicant.

As set forth in M.P.E.P 706.02(j), 35 U.S.C. 103 authorizes a rejection where, to meet the claim, it is necessary to modify a single reference or to combine it with one or more other references. M.P.E.P 706.02(j) indicates that after indicating that the rejection is under 35 U.S.C. 103, the Examiner should set forth in the Office Action:

(A) the relevant teachings of the prior art relied upon, preferably with reference to the relevant column or page number(s) and line number(s) where appropriate,

(B) the difference or differences in the claim over the applied reference(s),

(C) the proposed modification of the applied reference(s) necessary to arrive at the claimed subject matter, and

(D) an explanation why one of ordinary skill in the art at the time the invention was made would have been motivated to make the proposed modification.

M.P.E.P 706.02(j) references the well known requirements of *Graham v. John Deere*. Further, M.P.E.P 706.02(j) notes that it is important for an Examiner to properly communicate the basis for a rejection so that the issues can be identified early and the Applicant can be given

fair opportunity to reply.

Applicant maintains the Office Action's reliance on Grandcolas' teachings of a token, in conjunction with Hobbs' teachings of multiple frames is deficient. The token of Grandcolas allows the redirecting of the user's web browser to a second web server using the token (e.g. see Grandcolas in column 2, lines 15-46). However, the teachings of Hobbs (and those teachings relied upon in the Office Action) relate to the simultaneous connection with multiple servers (e.g. see Hobbs in column 11, lines 4-19). Thus, in addition to the motivation deficiencies, as described herein, Applicant submits that such two respective relied upon features of Grandcolas and Hobbs are **mutually exclusive**. That is, Applicant submits that such two features are simply not usable together in that there cannot be a redirecting to another site (Grandcolas) while providing simultaneous connection (Hobbs), in particular as contemplated in the 35 U.S.C. 103 rejection.

As discussed above, under 35 U.S.C. 103 the prior art reference (or references when combined) must teach or suggest all the claim limitations. Applicant submits that the rejection fails to assert such. That is, on page 3, lines 17-23, the Office Action clearly relies on Grandcolas' first web server to constitute both the claimed "host server" and the claimed "universal session manager". Accordingly, Applicant submits that the proffered combination fails to satisfy 35 U.S.C. 103 - in that it fails to teach each and every claim limitation. Rather, the claimed "host server" and the claimed "universal session manager" are both interpreted as being constituted by the first web server of Grandcolas. Such inappropriately minimizes Applicant's claimed invention and cannot sustain the 35 U.S.C. 103 rejection.

Further, the Office Action's motivation to support the alleged combination of applied art is deficient. On page 5, lines 14-18, the Office Action asserts:

... it would have been obvious to one of ordinary skill in the art to combine the teachings of Grandcolas and Hobbs to permit network users to have access to a large number of electronic database providers without being limited to a particular proprietary graphical user interface (GUI), entering passwords or billing information or being trained to use the query models for each Data Warehouse.

Applicant submits that such motivation is deficient. As to the motivation of "permit network users to have access to a large number of electronic database providers without being limited to a particular proprietary graphical user interface (GUI), entering passwords or billing information", Applicant submits that such motivation does not support the rejection in that Grandcolas already teaches such features. That is, it would not have been obvious to modify Grandcolas based on motivation to include features, where Grandcolas already includes such features.

Further, as to the motivation of "permit network users to have access to a large number of electronic database providers without ... being trained to use the query models for each Data Warehouse", Applicant submits that it is fully unclear how the proposed combination would even provide such benefit.

Applicant asserts that claim 1 does not simply set forth the general concept of using a first frame and a second frame. Rather, claim 1 of the present application sets forth various particulars of such displayed frames, e.g., "providing links to the accounts in a first frame of the interface" and "provides access to the remote server, by hosting the remote server in a second frame of the interface." Hand in hand with such features, claim 1 recites an interrelationship of such utilization of multiple frames vis-à-vis the processing of the universal session manager and

the validation module.

As set forth above, on page 13, lines 9-11, the Office Action asserts:

... The examiner contends that what are being combined are specific teachings of Grandcolas and Hobbs, and one versed in the art would evaluate these references based on the suggestion of these teachings.

Applicant submits that the above assertion reflects an inappropriate analysis under 35 U.S.C. 103. Indeed, such assertion appears to reflect an analysis of picking and choosing features of Grandcolas and Hobbs without taking into account the totality of the teachings of the applied art, i.e., at least of the primary reference to Grandcolas which is to be modified under the Graham v. John Deere analysis set forth above.

In Applicant's prior Amendment, in order to expedite prosecution of the application, Applicant amended the claims to further recite particulars of the claimed invention. In particular, claims 1 and 12 were amended to recite further details relating to processing of the universal session manager and the second frame, for example. The Office Action addresses such further claimed features, as to claim 1, on page 3, line 24 - page 4, line 13. The Office Action sets forth the recited claim language of claim 1:

... and the universal session manager updating a last accessed time (LAT) variable based on access to the remote server through the second frame. the LAT variable controlling session timeouts ...

and sets forth the disclosure of Grandcolas in column 4, lines 30-50:

In the embodiment shown in FIG. 1, the brokerage firm web server 30 builds an **authentication token** (or access token) comprising user identification data (or profile data) and expiration time data (token expiry) 52. The profile data comprises user identification data comprising a customer identification number that uniquely identifies the user to the secondary server. In the shown embodiment, the token also include a list of accounts of the customer. Expiration time data comprises data reflecting **the time after which the authentication token is invalid**. In the embodiment shown, the time is in Greenwich Mean Time (GMT). In other embodiments, the time may be in Universal Time. Expiration time may be set by the primary server at any desired time, though in

most embodiments the expiration time is a relatively short time, e.g., three to twenty minutes, from the time at which the authentication token is created. In the embodiment shown, the expiration time is set at fifteen minutes from the time the authentication token is created. Note that it is important for the servers exchanging such authentication tokens to maintain correct or synchronized clocks. The use of **expiration time** is used to create a single-use, perishable token.

(emphasis added)

Applicant requests reconsideration of such assertions and basis of rejection. The claimed features relate to a last accessed time and session timeouts. In sharp contrast, the relied upon features of Grandcolas relate to expiration time of a token. Such are fundamentally different concepts. Applicant submits that such teachings of Grandcolas clearly fall short of teaching the claimed invention, and fail to support the 35 U.S.C. 103 rejection as alleged in the Office Action.

On page 7, line 17 - page 8, line 17, the Office Action similarly sets forth the newly added features of claim 12, and thereafter cites to the same disclosure of Grandcolas. The claimed features of claim 12 recite the features discussed above (relating to last accessed time and session timeouts) and further relate to a communication of sending, by the universal session manager, a communication to the at least one remote server upon either customer logout or timeout. Applicant submits that the relied upon disclosure of Grandcolas clearly falls short of teaching such claimed features under any fair interpretation of the applied art. Reconsideration is requested. Such claimed features cannot be fairly taught by Grandcolas' teachings of expiration of a token.

For at least these above reasons, claim 1 is not taught or suggested by the applied art. Applicant submits that claim 12 is allowable for similar reasons. The dependent claims are allowable at least for the reasons set forth above, as well as for the additional features such dependent claims recite.

Withdrawal of the rejection under 35 U.S.C. 103 is requested.

C. The Rejection of Claims 21-24 under 35 U.S.C. §103

Claims 21-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Grandcolas in view Hobbs, as applied to claim 12 above, and further in view of U.S. Patent 5,815,665 to Teper *et al.* (“Teper”).

Since claims 21-24 are dependent on allowable independent claim 12, and since Teper does not cure the deficiencies of the combination of Grandcolas and Hobbs, claims 21-24 are allowable as well. Therefore, Applicant will not address the arguments with respect to these claims and reserves the right to address these arguments at a later time.

Withdrawal of the rejection of claims 21-24 is requested.

D. Conclusion

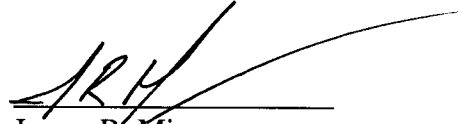
The foregoing is submitted as a full and complete Response to the Office Action, and early and favorable consideration of the claims is requested. If the Examiner believes any informalities remain in the application which may be corrected by Examiner’s Amendment, or if there are any other issues which may be resolved by telephone interview, a telephone call to the undersigned attorney at (703)714-7448 is respectfully solicited.

Please charge any shortage in fees due in connection with the filing of this paper,
including extension of time fees, to Deposit Account 50-0206, and please credit any excess fees
to such deposit account.

Respectfully submitted,

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By:


James R. Miner
Registration No. 40,444

HUNTON & WILLIAMS LLP
1900 K Street, N.W.
Suite 1200
Washington, D.C. 20006-1109
Telephone: 202.955.1500
Facsimile: 202.778.2201